BILL NO. X- 78-06-26 - as amended

ANNEXATION ORDINANCE NO. X- 02-78

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to wit:

The West 1/2 of the Southeast 1/4 of Section 28, Township 31 North, Range 12 East, containing 80 acres, more or less;

The East 1/2 of the Southwest 1/4 of Section 28, Township 31 North, Range 12 East in Allen County, Indiana, containing 80 acres, more or less;

The South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 28, Township 31 North, Range 12 East, containing 19.887 acres, more or less;

The East 330.0 feet of the West 1320.0 feet of the North Half of the Southwest Quarter of the Northeast Quarter and the North Half of the Southeast Quarter of the Northwest Quarter all in Section 28, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Beginning on the North line of the Southeast Quarter of said Northwest Quarter at a point situated 990.0 feet, N 90°-00' E (adjoiner deed bearing and is used as the basis for the bearings in this description) of the Northwest corner thereof; thence N 90°-00' E, on and along said North line, established by monuments found, 317.1 feet to the Northeast corner of the Southeast Quarter of said Northwest Quarter; thence S 89°-45' E, on and along the North line of the Southwest Quarter of said Northeast Quarter, established by an existing line fence and survey monuments found, 12.9 feet; thence S 00°-25' W and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.2 feet to the South line of the North Half of the Southwest Quarter of said Northeast Quarter; thence N 89°-46' W, on and along the South line of said North Half, established by survey

APPROVED AS TO FORM
AND LEGALITY,
CITY ATTORNEY

monuments found, 9.4 feet to the Southwest corner of said North Half; thence N 89°-57' W, on and along the South line of the North Half of the Southeast Quarter of said Northwest Quarter, established by survey monuments found, 320.6 feet; thence N 00°-25' E and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.0 feet to the point of beginning, excepting therefrom the Northerly 25.0 feet for Burma Road right-of-way and containing, after said exception, 4.836 acres of land.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage approval by the Mayor and ~~(first (1st) day after the second)~~ legal publication ~~publication~~ thereof as provided by law.

James Stier

Councilman

APPROVED AS TO FORM AND LEGALITY:

Read the first time in full and on motion by J. Stier, seconded by ~~Nuckols~~ and duly adopted, read the second time by title and referred to the Committee on Annexation (and ~~the City Plan Commission~~ for ~~re~~commendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on Tues., the 18th day of July, 19~~7~~78 at 7:30 o'clock P.M.,E.S.T.

DATE: 6-27-78

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Hunter, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8	1			
BURNS	X				
HINGA	~~X~~	X			
HUNTER	X				
MOSES	X				
NUCKOLS	X				
SCHMIDT, D.	X				
SCHMIDT, V.	X				
STIER	X				
TALARICO	X				

DATE: 7-25-78

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (GENERAL) (ANNEXATION) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE (~~RESOLUTION~~) No. X-02-78 on the 25th day of July, 19~~7~~78.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 19~~7~~78, at the hour of 11:30 o'clock A.M.,E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 27th day of July, 19~~7~~78, at the hour of 3 o'clock P.M.,E.S.T.

Robert E. Armstrong
MAYOR

Amendment made by Fred Hunter and seconded by D. Schmidt. in regular session.

In Section 3. To omitt the following words " sixty (60) days after the second"

9 yes 0 nays - Passed.

Bill No. X-78-06-36 (as amended)

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3

SECTION 3. --- Omitt the words "sixty (60) days after the second"

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO. PASS. (as amended)

JAMES S. STIER - CHAIRMAN — James S Stier

WILLIAM T. HINGA - VICE CHAIRMAN

VIVIAN G. SCHMIDT — Vivian G. Schmidt

JOHN NUCKOLS

DONALD J. SCHMIDT

2-25-75 CONCURRED IN

DATE CHARLES W. WESTERMAN, CITY CLERK

PETITION FOR VOLUNTARY ANNEXATION

TO: THE COMMON COUNCIL
CITY OF FORT WAYNE, INDIANA

Pursuant to Indiana Code Section 18-5-10-23, the undersigned, NORTHSIDE REALTY CORP., WILLIAM J. HEFNER, RONALD E. HUGUENARD and JEAN HUGUENARD, GLADYS B. TIERNEY, WILLIAM R. LEEDY and HULDA LEEDY, owners of all of the following described real estate in Allen County, Indiana, to wit:

(NORTHSIDE REALTY CORP.)

The West 1/2 of the Southeast 1/4 of Section 28, Township 31 North, Range 12 East, containing 80 acres, more or less;

(WILLIAM J. HEFNER)

The East 1/2 of the Southwest 1/4 of Section 28, Township 31 North, Range 12 East in Allen County, Indiana, containing 80 acres, more or less;

(RONALD E. HUGUENARD) (GLADYS B. TIERNEY)

The South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 28, Township 31 North, Range 12 East, containing 19.887 acres, more or less;

(RONALD E. HUGUENARD and JEAN HUGUENARD)
(WILLIAM R. LEEDY and HULDA LEEDY)

The East 330.0 feet of the West 1320.0 feet of the North Half of the Southwest Quarter of the Northeast Quarter and the North Half of the Southeast Quarter of the Northwest Quarter all in Section 28, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Beginning on the North line of the Southeast Quarter of said Northwest Quarter at a point situated 990.0 feet, N 90°-00' E (adjoiner deed bearing and is used as the basis for the bearings in this description) of the Northwest corner thereof; thence N 90°-00' E, on and along said North line, established by monuments found, 317.1 feet to the Northeast corner of the Southeast Quarter of said Northwest Quarter; thence S 89°-45' E, on and along the North line of the Southwest Quarter of said Northeast Quarter, established by an existing line fence and survey monuments found, 12.9 feet; thence S 00°-25' W and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.2 feet to the South line of the North Half of the Southwest Quarter of said Northeast Quarter; thence N 89°-46' W, on and along the South line of said North Half, established by survey

monuments found, 9.4 feet to the Southwest corner of said North Half; thence N 89°-57' W, on and along the South line of the North Half of the Southeast Quarter of said Northwest Quarter, established by survey monuments found, 320.6 feet; thence N 00°-25' E and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.0 feet to the point of beginning, excepting therefrom the Northerly 25.0 feet for Burma Road right-of-way and containing, after said exception, 4.836 acres of land,

all of which property is contiguous and adjacent to the corporate boundaries of the City of Fort Wayne, along the Eastern boundary lines thereof and connect to each other along at least one boundary line, hereby voluntarily petition for the annexation of said real estate to the City of Fort Wayne, by the Common Council, and hereby request that a special ordinance be adopted by the Common Council effecting said annexation.

Petitioners would further show that said properties are bounded on the East and/or South by other real estate currently owned by these Petitioners which is currently being used and developed for commercial and industrial development of the above described real estate in the near future, which development would substantially increase the tax benefits over the current valuation of said real estate as farm or undeveloped property.

WHEREFORE, Petitioners pray that the Common Council adopt a special ordinance annexing the above described real estate to the City of Fort Wayne.

NORTHSIDE REALTY CORP.

By _____
William J. Hefner, its President

By _____
William J. Hefner

PETITIONERS

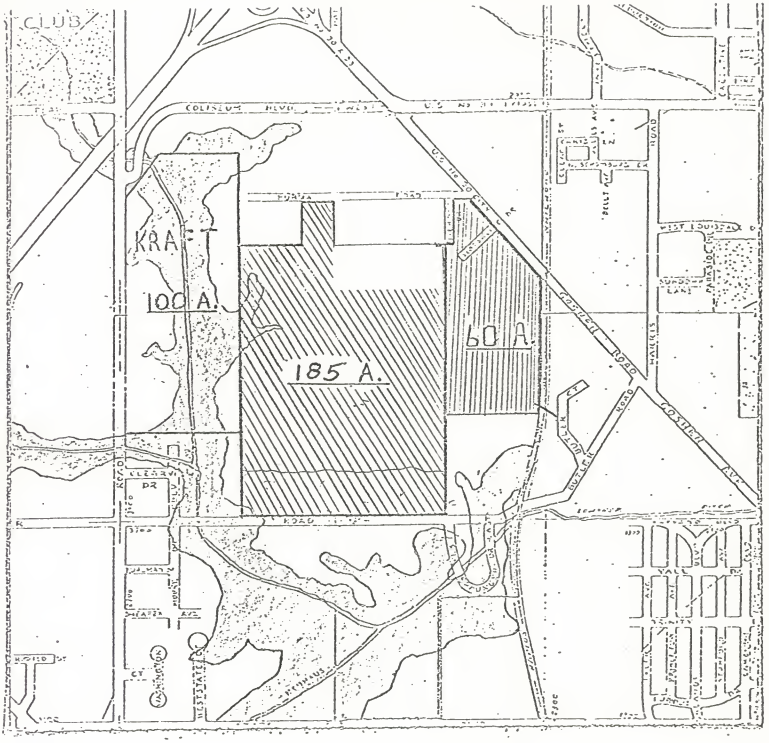
By _____
Ronald E. Huguenard

By _____
Gladys B. Tierney

By _____
Jean Huguenard

By _____
William R. Leedy

By _____
Hulda Leedy



Centennial Industrial Park 60 acres Zoned M-1

185± Acre expansion area (annexation area)

Flood plane

R E S O L U T I O N

WHEREAS, the Fort Wayne City Plan Commission has previously resolved that all land projected to be urban in character within the next twenty (20) years should become part of the City; and,

WHEREAS, the property in question is projected to be urban in character in the immediate future; and,

WHEREAS, the necessary urban services are available for the development of this property.

NOW, THEREFORE, BE IT RESOLVED, the owners of the property described as:

(NORTHSIDE REALTY CORP.)

The West 1/2 of the Southeast 1/4 of Section 28, Township 31 North, Range 12 East, containing 80 acres, more or less;

(WILLIAM J. HEFNER)

The East 1/2 of the Southwest 1/4 of Section 28, Township 31 North, Range 12 East in Allen County, Indiana, containing 80 acres, more or less;

(RONALD E. HUGUENARD)

The South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 28, Township 31 North, Range 12 East, containing 19.887 acres, more or less;

(RONALD E. HUGUENARD and JEAN HUGUENARD)

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along said North line, established by monuments found, 317.1 feet to the Northeast corner of the Southeast Quarter of said Northwest Quarter; thence S 89°-45' E, on and along the North line of the Southwest Quarter of said Northeast Quarter, established by an existing line fence and survey monuments found, 12.9 feet; thence S 00°-25' W and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.2 feet to the South line of the North Half of the Southwest Quarter of said Northeast Quarter; thence N 89°-46' W, on and along the South line of said North Half, established by survey monuments found, 9.4 feet to the Southwest corner of said North Half; thence N 89°-57' W, on and along the South line of the North Half of the Southeast Quarter of said Northwest Quarter, established by survey monuments found, 320.6 feet; thence N 00°-25' E and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.0 feet to the point of beginning, excepting therefrom the Northerly 25.0 feet for Burma Road right-of-way and containing, after said exception, 4.836 acres of land,

approached the plan commission requesting annexation to the City of Fort Wayne on a voluntary basis.

BE IT FURTHER RESOLVED, that the Fort Wayne City Plan Commission recommends to the Common Council of the City of Fort Wayne that the property heretofore described be annexed into the City effective at the earliest possible date.

This is to certify that the above is a true and exact copy of a resolution adopted at the Fort Wayne City Plan Commission meeting held June 19, 1978.

Certified and signed this
_____ day of June, 1978.

Luben Lazoff

Luben Lazoff, Secretary

July 15, 1978

Common Council of the
City of Fort Wayne
City-County Building
Room 122-126
Fort Wayne, Indiana 46802

SUBJECT: Annexation Ordinance X-78-06-36

Common Council of the City of Fort Wayne:

All of us urge you not to pass this Annexation Ordinance. There are a number of reasons you should not, some of which we will share with you in this correspondence. At the outset, let us caution you that we are not against progress for our city or further industrial development within our county generally.

Perhaps you are not fully aware of the history that accompanies this matter. We would like to share some of it with you. In doing so, we urge you to share with us with an open mind. Most of us are working people concerned about our city's development. We are also voters, taxpayers, and we are appealing to you as our representatives.

Centennial Park I is, according to documents on file with the City, a 48.64 acre tract of real estate which the City annexed on October 15, 1974. Annexation comprised land owned by Northside Finance Corp., William J. Hefner was and probably still is its President and Clifford E. Simon, Jr. is its Secretary.

Annexation of this real estate in 1974 was a subterfuge to obtain rezoning of the real estate from a "RA" District - suburban residential, to a "M2" District - general industrial. On January 28, 1975, the City Plan Commission gave this rezoning a "Do Pass" recommendation to the City Council. See correspondence attached. The zoning subsequently became effective.

A number of us were concerned about these maneuvers as they were taking place. However, Mr. Hefner was our neighbor at the time and when certain of us inquired about his intentions, he assured us that we should not be concerned because the proposed changes were to accommodate a "Hefner Chevrolet Truck Sales" lot and such a use would not interfere with our peaceful neighborhood nor be any detriment to us. Since Mr. Hefner was our neighbor, we believed him and trusted him. That was our mistake. Based upon his statements, we did not oppose the annexation or the re-zoning. It is very interesting (and sickening) to look back now to 1975 and see what has happened to date.

There is no "Hefner Chevrolet Truck Sales" lot. The area has had a lot of beautiful trees bulldozed off, the topography has been changed, and we understand that Mr. Hefner, through his corporation, has changed his plans and he is now in the industrial park business. At the present time, there is only one small use operating on this real estate, and we think it is a 7-Up warehouse or something related. During the bulldozing and other destruction which took place on this real estate, we discovered that Mr. Hefner, through his corporation, apparently made a nice deal with someone in the City administration to tap into a residential sewer, which some of us in the Butler Court area paid a lot for, to serve his industrial park dreams. Some of us in Butler Court have had our yards torn up in the process and they were not repaired as promised. We would also note that Mr. Hefner received the "M2" zoning on the condition that:

> "A seven foot (7') landscape buffer must be installed at the rear of the site prior to the issuance of Certificate of Occupancy."

See the attached minutes referring to this zoning action. Also see Mr. Hefner's letter written on April 23, 1974, relative to the promised tree barrier.

Today, we do not have a seven foot (7') barrier. What we have is a desolate bulldozed area which has been extremely destructive of the natural beauty which existed in this area which was planned for many years as residential and which would remain so today had full and complete disclosure been made at the time Mr. Hefner sought his "Hefner Chevrolet Truck Sales" lot. Since Mr. Hefner was our neighbor

and given the type of use which a truck sales lot would have been, we were, in 1975, willing to bend for a neighbor and friend. Look what happened. Here is a classic example of honest and trusting people finishing last. Isn't the Common Council supposed to represent us and protect us from such actions of a few who do not follow the rules or disclose that which should be disclosed?

Here we are in 1978, 90% of Mr. Hefner's "Truck lot" is undeveloped and he has now petitioned our City to annex 184.72 acreas of suburban residential (RS-1) real estate set aside for residential use in the Master Plan. We feel, at this time, that it would not be prudent, wise, or well considered for you to approve this annexation.

Perhaps we should share the recent history which accompanies this pending Petition for Annexation, filed by Mr. Hefner, another one of his corporations and others. On October 11, 1977, Northside Finance Corp. by Clifford E. Simon, Jr. (its attorney, its Secretary, and the City Plan Commission's Attorney) filed a petition for a zoning ordinance amendment before the Board of Commissioners of Allen County. Mr. Hefner's corporation sought to re-zone 60 acres (this 60 acres is a part of the 180 acres before you on the annexation petition) from RS-1 to I-4 for general industrial use and development. For some reason, many of us did not receive appropriate notices concerning this matter and by the time we found out, the public hearing had been held. After the public hearing, Mr. Simon attempted to amend the Petition and through our efforts we were granted a new hearing on a second petition which Mr. Simon filed. The second petition was filed on November 23, 1977. It covered the same 60 acres and sought re-zoning from RS-1 to I-4 for general industrial use and development. Due notices of this hearing were sent to many of us and the public hearing was held on December 9, 1977. Following complete and thorough investiation by the Allen County Plan Commission, it submitted a "DO NOT PASS" recommendation to the Allen County Commissions. The Commissioners wisely followed the advice of the County Plan Commission. The real estate was left for future residential development as provided in the Master Plan. Industrial development was not considered wise. We might also add that Mr. Simon waived before the Plan Commission numerous suggestions of eminent and significant industrial real estate customers standing in the wings (Very good carrot!) ready to purchase the real estate and provide 1000's of jobs. We have discovered that these suggestions are a hoax. We are reasonably intelligent people and we

know that in commercial real estate transactions, sales are completed subject to zoning. Mr. Hefner, Mr. Simon and the others know that they have no deals of such a nature now or reasonably certain to occur in the future. These suggestions are merely "Pie in the Sky" statements to assist in getting this real estate annexed and re-zoned in a favorable (we hope not) climate. After all, Mr. Simon is the attorney for the City Plan Commission and they certainly had no trouble anxiously recommending that you annex this property to the City. We are disgusted that Mr. Simon, who is on our payroll as an Associate City Attorney decided to so deeply involve himself in a conflict of interest situation so gross. It was interesting for us to also learn that Mr. Simon is listed as the Associate City Attorney on the Annexation Review Committee in the ANNEXATION POLICY AND STUDY AND PROGRAM STUDY (DRAFT) prepared with our tax dollars by the City of Fort Wayne through the Community Development and Planning Department. See the attached committee list. We are all aware that you are acquainted with Mr. Simon and in fact have probably worked closely with him in the past. We hope this will not interfere with your ability to represent us and others in making your decision on this annexation. Only you can make that decision.

We would like you to know that the Allen County Plan Commission advised Mr. Simon and his group, when they sought re-zoning of this real estate, that if they had anything definite concerning this real estate which would provide significant jobs or employment for Allen County, they would look very carefully, and perhaps favorably, on a future re-zoning request. They couldn't do it just a few months ago and they can not do it now. The psychology is to wave the thought of 100's of jobs and everyone will pant like lapdogs and salivate approval. Don't be fooled or mislead. Look closely at what you are being asked to get the City into.

We would like to also point out to you that there is no shortage of undeveloped industrial real estate in Allen County generally. Attached, you will find details concerning the existing zoned acreage. 8793 acres does not suggest a shortage of undeveloped industrially zoned real estate. Mr. Hefner hasn't convinced us that additional undeveloped industrial real estate is needed in Allen County. He did not convince the Allen County Plan Commission or the County Commissioners that there is a need and you will not be if you look at the facts. Annexation might best be directed toward existing industry if the tax base needs a boost. Even though you have not even voted upon this annexation, Mr. Simon has filed a Petition seeking re-zoning of this real estate and it is being held by Mr. Gary Baeten. Isn't this a little presumptuous. Of course, this petition seeks industrial zoning!

We need not at this time go into the reasons why this real estate should maintain its residential character as it is currently provided for in the Master Plan consistent with its present zoning. We bring up the subject of zoning merely to point out to you that Mr. Hefner, not having his way with the County, has decided to bring you into the matter. We see no reason why you should take any action to frustrate a carefully considered decision by a lot of honest and sincere people in County government. This Annexation Ordinance comes before you, not because it is good for the City of Fort Wayne or because residents of the area need all of the services which the City must provide upon annexation, because Mr. Hefner and the others are not willing to play by the rules. One of the rules we refer to is that the subject of re-zoning is not supposed to be renewed for a period of one year after a denial. Another rule is that one should be candid about the facts and not resort to "Pie in the Sky" references which mislead in an effort to find a means to personal ends.

We feel it would not be wise for you at this time to approve this pending annexation. Before you decide to commit the City to provide full City services to an additional 180 acres to assist Mr. Hefner in lining his pockets with money, you should consider the City budget and the present needs of the citizens already within the City boundries. As you know, there are areas that have been annexed which still do not have City services after three or four years. These residents still do not have sewers, water, lights, adequate police protection, fire protection, and the other services which the City should be providing within a reasonable time after annexation. By no means do we intend to fault you or others by citing some of the problems our City has in responding to its present residents. We are merely seeking to illustrate to you a 180 acres additionally added at this time, when there is no need and no income advantage, would not be sound planning.

If for some reason you feel there is a need, what is the need? Certainly, in light of the undeveloped industrially zoned real estate in Fort Wayne and Allen County, it is not needed for industrial purposes. Mr. Hefner and his group have suggested, and this is the only suggestion, that the real estate, if annexed, would <u>substantially</u> increase the tax benefits over the current valuation of the real estate. This is not true.

This real estate is not needed by the City for any purpose now or in the foreseeable future. We all know that need is relative. If there is any need for this real estate in comparison to other areas of need surrounding the City, this would certainly fall at the bottom of the list, if it even made the list.

We are aware that there is an ANNEXATION POLICY AND PROGRAM STUDY completed. The "purpose" of the study is to determine the financial impact of a large scale annexation program upon the City. The key is the "financial impact" of a proposed annexation. Assuming you are familiar with the Study, we would point out to you that the real estate which is the subject of this Annexation Ordinance woudl not at this time or in the foreseeable future provide any financial benefits to the City. In the long run, because of its non-urban character it will provide a financial drain upon the City before it provided financial benefit.

The actual result to the City is contrary to the expressed "Annexation Philosophy" reflected by the Study. The Study recommends that proposed annexation proceed generally in those areas where the highest net gain can be realized. The subject real estate is not such an area. We repeat that the subject real estate is not urban. Urban real estate is described in the Study as real estate which has a population density of at lease three (3) persons per acre, or is zoned for industrial or commercial use, or is at least 60% subdivided, and the area must have at least 1/8th of its boundry contiguous to the City limits. This real estate does not have a population density of 3 persons per acre, it is not zoned industrial or commercial, and it is not 60% subdivided.

You should not annex this real estate. If you carefully study and inquire into the facts you will find that although you may be told there is no cost to the City at this time, the ultimate cost will be much greater than the financial benefits.

We are aware that Community Development and Planning provided you with their analysis. They have failed to tell you that the future costs to the City, if developed as Mr. Hefner desires, will first cost the City a bundle of money before any benefit is realized. Immediately upon granting annexation, you commit the City to provide essential city services. When the first sewage service is needed for this real estate, the City must proceed with extension of the Neuhaus Ditch Interceptor. If you will check with Water Pollution Control, you will find that it is not Mr. Hefner and the others that would pay the costs of this extension, but the City of Fort Wayne and its taxpayers. We have seen

the City trapped by the development game and it is not the developer who pays the bills. The taxpayers' dollar pays the bills with a net loss result to the City. This is especially true when you deal with "non-urban" real estate. The suggestion of no cost when you deal with "non-urban" real estate is absolutely false.

The Community Development and Planning Report which has been submitted to you is quite misleading. Upon reading it superficially, it would appear that if you grant this annexation, you have just provided for the rapid development of annexation study area WASH-4. This is simply not true. Even if it were, you will find that the WASH-4 area, from a financial impact point of view, is far down the list on the net return projecting. Don't forget that this list deals with the whole WASH-4 area. If you look at the financial returns to the City as a basis for your actions, there are six other areas you should be dealing with at this time if you are interested in increasing the City revenue. We recommend that you not get the cart before the horse (which would be the case if you approve this annexation ordinance) and not add an additional liability to drain the City budget.

We would point out that the Community Development and Planning Report begs the issue in another area. They wholly failed to analyze the actual services needed on the basis of what is most reasonably likely to occur in the future. Annexation decisions should not be made through dark glasses. The reasonable future should be analyzed in detail. They are not analyzed in the report. For example, page 4 of the Report states:

> "Thus, the service department reports have to analyze actual service needs and not those that might occur at some later date. Future service needs are contingent upon levels of developments that can only be guessed at. Certainly, at some future point, there will be different service needs. These will be accommodated for at the time of development."

What is the cost of this accommodation? We are satisfied that if you approve this annexation, you will just create another alligator to chew on the City wallet. We suggest that it would be reasonable and prudent for you to get the answers before you approve annexation and not leave the problems for later.

We would also like to indicate that it is no secret as to Mr. Hefner's intentions concerning this real estate. Obviously, he is going to attempt industrial development. Let's analyze his track record. His attempts in Centennial I since 1975 have been a failure. One small operating little business in three years. Do you believe that the City has had the financial advantage in this deal? We suggest that if you will look at the facts, the alligator is there. To size up the next alligator, assume that Mr. Hefner, in a three-year period, is able to put one small business on this 180 acreas. To do so, the City is first required to provide all essential services to the area. To get a taste for what the City is faced with, consider just one service - the sewer - and what is would costs to get it to that one business. Find out from Water Pollution Control!

In conclusion, we would like to state that we have only attempted to point out the tip of the iceberg which the Community Development and Planning Report failed to disclose. We feel that their Report is a disservice to the citizens of Fort Wayne. We hope you will express your dissatisfaction with it and take the time to search for the truth. We are certain that if you find the truth, you will not approve this Annexation Ordinance X-78-06-36.

Thank you for giving us this opportunity to express the feeling of a number of citizens and taxpayers of this Community. We have confidence that you will do the right thing.

BASS-LEESBURG CIVIC ASSOCIATION, INC., et al

Rosalie A. Adams

Its Secretary

Stanley N. Newby

Its Treasurer

TION FOR ZONING ORDINANCE AMENDMENT

COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

No. _____

DATE FILED: _____

INTENDED USE: Truck Sales, etc.

e Northside Finance Corporation
Applicant's Name or Names

hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana by classifying from an R-A District to a M-2 District the property described follows:

(Attached)

General Description (Prepared by Planning Staff)

Legal Description

gal Description Checked by (City Engineer) _____

e Undersigned applicant (s) upon the execution and submission of this application and petition r zoning ordinance amendment, understands and agrees that:

All requests for continuances or requests that ordinances be taken under advisement all be filed in writing in the Office of the City Plan Commission by noon on the Wednesday ceading the meeting of the City Plan Commission at which the ordinance is to be considered. the request for a continuance or for the ordinance to be taken under advisement is filed thin the required time, the head of the Plan Commission staff shall not put the matter on e agenda for the meeting at which it was to be considered. Also, in the event, a request is led for continuance or delay in the consideration of an ordinance, it shall be the obligation the petitioner to notify the same property owners which the Plan Commission had notified by il that the hearing has been postponed or rescheduled and informing him of the time and ace of the next meeting at which the proposed ordinance will be considered. In the event the me and place of the meeting is not known at the time that the request for continuance is led, it shall be the duty of the petitioner to notify all persons notified by the Plan mmission Office when the time and place of hearing is determined.

We hereby certify that as the undersigned, I am / We are the owner (s) of fifty-one rcentum or more of the property described in this petition.

Northside Finance Corp.
By: _____
Signature
Clifford E. Simon, Jr., Secretary

Name	Address	Signature
Northside Finance Corp.	500 E. State Blvd.	

is petition for zoning ordinance amendment prepared by:

Name	Address	Telephone Number
Clifford E. Simon, Jr.	2400 Ft. Wayne Bank	743-8123

ty Plan Commission - One Main Street - City-County Building - Fort Wayne, Indiana - 423-7571

REASONS:

The petition, in its present form, does not represent sound land use planning.

STAFF POSITION

a. Petition should be resubmitted for only the area north of the Baer Field Thru-way.

b. The Baer Field Thru-way, not the Dunkelberg Road, is the logical buffer between commercial uses and residential uses.

c. The area north of the Thruway, included on the present petition, is a logical extension of an existing district.

d. The access should be limited to one cut on Bluffton Road. The location of the cut and proper access geometrics to be determined by Traffic Engineering.

NOTE:

The petitioner has made no effort to satisfy the above conditions and therefore we request that this petition be denied.

Following the above report, motion was made by Mr. Smith and seconded by Mrs. Schmidt that the proposed ordinance be returned to the Common Council with a recommendation that it DO NOT PASS.

Before motion was carried, Mr. Bonar questioned notification of petitioners. The Land Use Administrator stated all petitioners had been notified by letter.

Following considerable discussion, a motion was made by Mr. Bonar, seconded by Dr. Boswell and duly approved that this ordinance be deferred until the business meeting of February 25, 1974, following additional notification of the petitioner.

7. Bill No. Z-73-10-49 - From "RA" to "M2" - A parcel of ground containing 49 acres, more or less, located on the south side of U. S. Highways # 30 & # 33 (Goshen Road), extending southward along the west side of the Grand Rapids and Indiana Railroad.

Mr. Smith stated the Site Committee had given approval to this ordinance subject to the following conditions:

1. The access from Goshen Road be approved by the State Highway Commission because of the elevation of the road at this particular location.

2. All on-site storage must be enclosed.

3. A seven (7') foot landscape buffer must be installed at the rear of the site prior to issuance of Certificate of Occupancy.

Mr. Smith motioned that this ordinance be returned to the Commission Council

THE CITY OF FORT WAYNE

office of city plan commission

January 29, 1975

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held January 28, 1974. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-73-10-49

2. Intended Use: Hefner Chevrolet Sales (trucks)

3. Plan Commission Recommendation: DO PASS

   This ordinance received a DO PASS recommendation for the following reason:

   a. The change in zoning does not conflict with either the present land uses or the northwest area from a land use planning prospective.

This ordinance was sent to the Common Council on April 25, 1974. Before action was taken by the Common Council on this ordinance, the County assumed the area known as the "Fringe" on April 29, 1974. Since part of the ground to be rezoned was located in the "Fringe" area, the Council referred this ordinance back to the City Plan Commission for further work with the petitioner.

On June 14, 1974, a PETITION FOR VOLUNTARY ANNEXATION was filed with the City Clerk's office. This petition was submitted before the Committee Session on October 15, 1974, and passed by the Common Council on October 22, 1974.

Following the sixty (60) day remonstrance period, this annexation ordinance became effective at 12:01 A.M. on January 4, 1975. (See attached memorandum from David B. Keller, City Attorney, and map).

Bill No. Z-73-10-49 is now being forwarded to the Common Council for action.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING
Division of Long Range Planning and
Zoning

James Geraghty

James Geraghty
Director

JG:pr
ATT.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 23, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-10-49; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 19, 1973;

WHEREAS, following the City Plan Commission meeting held January 28, 1974, this proposed ordinance was sent to the Common Council with a recommendation of DO PASS.

WHEREAS, action could not be taken by the Common Council, as part of this rezoning was located in the area known as the "Fringe", and the County assumed this "Fringe" on April 29, 1974, the Common Council referred this ordinance back to the City Plan Commission for further work with the petitioner. On June 14, 1974, a PETITION FOR VOLUNTARY ANNEXATION was filed with the City Clerk's office. This petition was submitted before the Committee Session on October 15, 1974, and was passed by the Common Council on October 22, 1974. This annexation ordinance became effective at 12:01 A.M. on January 4, 1975.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the Fort Wayne City Plan Commission.

Certified and signed this
29th day of January, 1975.

Charles N. Hall
Secretary

Hefner Chevrolet
500 E. State, Fort Wayne, Ind. 46805
219/484-5566

April 23, 1974

Fort Wayne City Plan Commission
City County Building
Fort Wayne, Indiana 46801

Attention: Mr. Gary F. Baeten
Land Use Administrator

Dear Mr. Baeten:

Reference is made to your letter of March 21, 1974 in which you advised of the resumption by the County Board of Commissioners for the zoning jurisdiction of the "fringe area" effective April 29, 1974.

Please be advised that we have received word from the State Highway Department that they have approved our plans for an entry way to the property and a permit will be coming shortly.

The second condition to be met was an effective screen on the southern most boundary of the property. Prior to taking occupancy, we will plant a row of Poplar trees sufficient to provide a barrier between our property and that southern boundary. We also agree to the condition that all on-site storage will be enclosed except for the storage of vehicles.

We trust that the above information is sufficient to allow City Council to grant final approval on our zoning request. If you should need further information or have any questions concerning the above, please contact me.

Sincerely,

NORTHSIDE FINANCE CO.

Wm. J. Hefner

Wm. J. Hefner
President

WJH/tmm

TO: CITY COUNCIL FORT WAYNE, INDIANA

RE: UNDEVELOPED INDUSTRIALLY ZONED REAL ESTATE OUTSIDE CITY BOUNDRIES AS OF JULY 14,1978

SOURCE: CITY PLAN COMMISSION - CURRENT COMPUTER DATA

*Site Number	Acres
1	1.0
2	1.0
3	1.0
4	1.0
5	1.2
6	1.2
7	1.25
8	1.30
9	1.40
10	1.6
11	1.7
12	1.8
13	2.0
14	2.0
15	2.0
16	2.0
17	2.0
18	2.2
19	2.2
20	2.3
21	2.5
22	2.5
23	3.0
24	3.0
25	3.0
26	3.0
27	3.0
28	3.3
29	3.4
30	3.4
31	3.5
32	4.0
33	4.0
34	4.0
35	4.0
36	4.4
37	5.0
38	5.4
39	5.5
40	5.8
41	6.0
42	6.0
43	6.0
44	6.0
45	6.0
46	6.5
47	7.0
48	7.0
49	8.0
50	8.0
51	8.5
52	8.5
53	8.7
54	9.0
55	9.8
56	

*Site Number	Acres
57	10.0
58	10.0
59	10.7
60	11.91
62	12.
62	12.5
63	14.5
64	15.2
65	16.
66	16
67	16
68	16
69	18.0
70	18.
71	18.
72	19
73	20
74	22
75	22
76	22.7
77	23
78	23.7
79	25
80	25.44
81	26
82	27.5
83	28
84	29
85	31
86	32
87	32
88	34
89	36
90	37
91	38
92	40
93	41
94	43
95	44
96	45
97	49
98	52.3
99	54
100	58
101	65
102	67
103	69
104	71.6
105	75
106	88
107	90
108	93.5
109	94
110	95
111	95
112	95
113	106
114	113
115	131
116	156
117	160
118	161
119	169
120	179
121	182
122	183.5
123	229
124	252

*Site Number	Acres
125	303
126	319.03
127	320
128	328
129	329
130	332
131	346
132	466
133	731
Total:	7940.15

*Not computer number but listed in order as they appear in print out.

TO: CITY COUNCIL - FORT WAYNE, INDIANA

RE: INDUSTRIALLY ZONED REAL ESTATE IN CITY BOUNDRIES AS OF JULY 14, 1978- UNDEVELOPED

SOURCE: CITY PLAN COMMISSION - CURRENT COMPUTER DATA

*Site Number	Acres
1	30.31
2	26.49
3	16.74
4	38.04
5	38.04
6a	18.88
6b	13.84
7	7.09
9	
10	26.50
11	18.46
12	19.19
13	8.30
14	6.91
15	19.49
17	24.34
19	5.18
20a	7.04
20b	12.25
21	3.90
22	2.00
23	2.61
24	3.18
25	5.73
26a	20.08
26b	
28	5.63
30	5.03
31	2.84
34	3.94
35	2.47
36	12.75
37	6.89
38	4.86
39a	9.38
39b	14.5
40	5.56
41	6.34
42a	4.99
42b	2.99
43	
47a	35.39
47b	30.57
47c	2.75
48	1.38
49a	5.40
49b	24.78
50	4.75
51	26.46
52	
53	6.80
54	1.02
55	1.23
56	6.90
57	6.02

*Site Number	Acres
59	9.48
60	4.06
63	2.32
62	1.36
65	10.35
66	11.71
67	3.98
68	3.57
70	1.22
71	5.79
72	5.56
73	18.98
74	3.93
75	1.77
76	3.17
77	3.82
78	4.38
80	6.5
82	5.11
83	1.21
84	1.13
85	3.76
86	3.35
87	7.25
88	16.06
89	4.08
90	3.6
91	4.45
92	4.58
93	1.34
94	1.18
95	78.50
Total:	853.76

* Not computer number but listed in order as they appear in print out.

ANNEXATION REVIEW COMMITTEE

C. James Owen - Chairman
Director, Community Development & Planning

Joseph Morreale
Superintendent, City Utilities

Al Hepler
Chairman, Board of Safety

Angie Derheimer
Park Department

Cliff Simon
Associate City Attorney

Jay Snyder
Community Development and Planning

Henry Wehrenberg
Chairman, Board of Public Works

William Schnizer
Controller

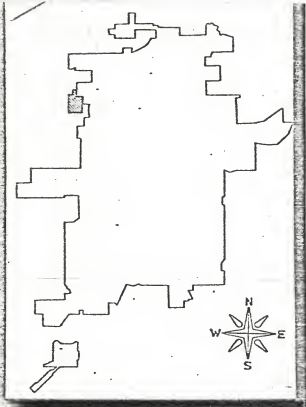
Howard Biggs
City Engineer

Gretchen Wiegel
Member, City Plan Commission

Jack Suter
Director, County Plan

Community Development and Planning

Briana Wheatley
Bruce Baldwin, AIP



HEFNER-HUGUENARD ANNEXATION

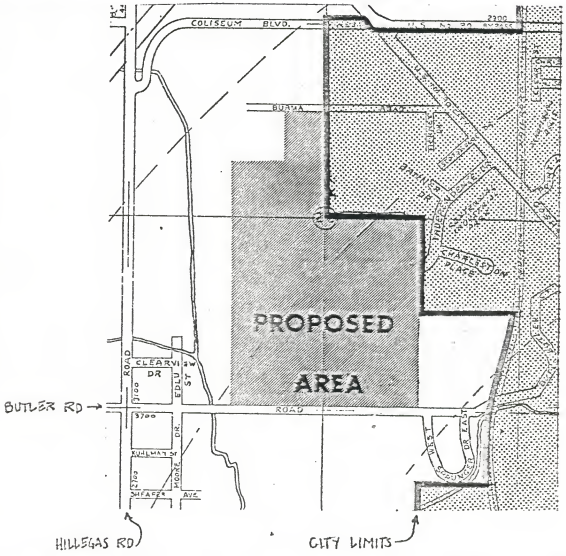
Bill No. _____

Ordinance No. X-78-06-36

Effective Date OCT [illegible]

City of Fort Wayne

C.D.& P.



INTRODUCTION

Located on the City's northwest side, the Hefner-Huguenard Annexation Area is almost totally undeveloped. Being thirty percent (30%) contigious to the City it is highly suitable for adjacent urban growth which promotes the efficient use of public facilities and of the land in the Fort Wayne area.

The area surrounding Hefner-Huguenard already has access to major highways. Development of the proposed Ardmore-Hillegas corridor would improve access. Utility service improvements are in the planning stage and if they are consummated the general area could experience rapid growth. Fort Wayne is expanding and does need land for urban development. Hefner-Huguenard could help fulfill that need.

This area does meet statuatory criteria for annexation on the grounds that it is needed for the future development of the City and is at least twenty-five percent (25%) contiguous to the City. The following report describes the area, sets forth a service plan, and summarizes the financial impact upon the City of annexing the area.

BASIC DATA

A. Location

Generally located on the northwest side of the City, between Goshen and Hillegas Roads on the east and west, and between Burma and Butler Roads on the north and south. The annexation area is roughly in the center of the area surrounded by these roads.

B. Size

184.723 acres.

C. Population

The area contains no regular dwelling units so there is no population.

D. Land Use

Entirely agricultural or vacant. There are nine (9) structures, five (5) of which are vacant. One (1) structure could be used as a dwelling unit but actually serves the agricultural use just as the other 3 buildings do.

E. Zoning

All of the land is classified by the County Plan Commissions as suburban residential (RS-1). Upon annexation, the City Plan Commission would automatically classify this as single-family (R-1).

F. Planning

The Hefner-Huguenard area is within the part of Allen County designated by the City's Annexation Plan for annexation as soon as possible. Hefner-Hugnuenard is located in annexation study area WASH-4 which is bounded on the east by the City and on the west by I-69. Access to WASH-4 is provided by Hillegas, Bass, Butler, Leesburg Roads and State Boulevard, with US #30 crossing the northeast corner. The

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[1] Annexation Plan, Department of Community Development, 1976.

1990 Transportation Plan and the Allen County Comprehensive Plan treat Hillegas as part of the proposed Ardmore Arterial Corridor.

Utility service is currently insufficient for rapid development in WASH-4. However, Water Pollution Control is studying the feasibility of an extention from the Neuhaus Ditch Interceptor into WASH-4 with the Hefner-Heguenard area having access. Water service can be provided the proposed area by extending feeder lines from the existing Goshen Road main.

Already good access, which is proposed for improvements, coupled with the provision of utility service could lead to rapid development of WASH-4 and of the proposed annexation area.

The development of Hefner-Huguenard area is consistent with the adjacent growth strategies of the City and County Plan Commissions. The area is thirty percent (30%) contigious to the Corporate Limits and nearly 100% undeveloped. It is needed by the City for future urban growth and thus meets the annexation criteria of the 1969 Indiana Cities and Towns Act.

MUNICIPAL SERVICES

State law requires that essential services be provided to an annexed area within three years of annexation. This includes; police and fire protection, solid waste collection, traffic control and emergency medical services. These services are paid out of tax revenues with no direct user charge. This report analyzes the needs of the Hefner-Huguenard Area for their services and the costs of providing such services to the area. Other municipal services such as street lighting, the provision and maintenance of streets and roads and parks are also considered. Sewer and water are provided by City Utilities and are discussed in a separate section. A financial summary shows the costs of all these services and compares total cost to the tax revenue from the area.

All service and financial reports are based upon the existing level of development in the proposed annexation area. Services have to be delivered at the time of annexation. Thus, the service department reports have to analyze actual service needs and not those that might occur at some later date. Future service needs are contingent upon levels of developments that can only be guessed at. Certainly, at some future point, there will be different service needs. These will be accommodated for at the time of development.

ESSENTIAL SERVICES

1. Police

The Hefner-Huguenard Area will receive police protection immediately upon annexation. This service generally includes the prevention and detection of criminal activity, the apprehension of criminal offenders, assistance for those who cannot care for themselves or are in danger of physical harm, the resolution of day to day conflicts among family, friends and neighbors, and the creation and maintenance of a feeling of security in the community. The police department participates in court procedings and the protection of constitutional guarantees. It is also responsible for the control of traffic and the promotion and preservation of civil order.

Even though the Police Department will provide any and all services as needed in the proposed annexation area there will be no additional cost to the City. The population and intensity of useage of the area is so low that it can be taken into the City without requiring any increase in equipment, communications officers or civilian personnel.

2. Fire

The Fort Wayne Fire Department will provide service to the Hefner-Huguenard Area immediately upon annexation. Fire Department services include the suppression of fire, fire prevention education, and fire inspections of churches and all commercial establishments.

The Fire Department will respond to this area with fire fighting equipment, materials and personnel just as it does to similar locations in the City. With service already provided to the immediate east, Hefner-Huguenard can be serviced from Station #6 just off Coliseum and from Station #7 at Spring and Lindenwood. This particular area would not require additional personnel, equipment, fire stations or other capital costs. Additionally, because of the area's low population and lack of development estimated operating costs are virtually nill. Thus, Hefner-Huguenard can be absorbed into the City's fire fighting capacity for no additional cost.

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[1]The fiscal impact of annexation is determined on a per capita basis. The population of the proposed area is multiplied by the number of offers needed per person. For Hefner-Huguenard this comes out as zero. This is not altered by the size or use of the area since that is also insignificant in terms of police protection.

3. EMS

Upon annexation EMS will provide full service to the area. This includes help for victims of heart attacks, automobile and other accidents, and to others needing immediate attention. The response time for this area will be no longer than to other parts of the city since it is adjacent to areas already being served and is within the service range of EMS.

No additional personnel or equipment will be needed. There will be no increase in operating costs either. Population is used to estimate the number of ambulance runs that will be added by annexation. Hefner-Huguenard's lack thereof, results in a cost free situation.

4. Solid Waste Collection

Under the terms of the present contract with National Serv-All, the cost of solid waste collection to the City is $34.89 per household per year. With no households in the area the total costs wlll be zero dollars ($0) per year.

5. Traffic Control

There will be no traffic control service needed for Hefner-Huguendard since no streets or intersections are included in the annexation area.

B OTHER MUNICIPAL SERVICES

Other municipal services are generally obtained through petitioning by property owners. Parks, new streets and street lighting are dependent upon the availability of city funds and often require additional financial participation from property owners.

1. Street Lighting

The proposed annexation area does not include any developed area that would require street lighting for intersections or residential streets. Burma Road and Butler Road are not included within the proposed area and do not even need lighting at this time.

As the area develops lighting will be provided by the developer, although the City will pay for maintenance and energy out of Civil City and City Utilities funds. The cost of this cannot be determined at this time since it is unknown as to how much and what kind of lighting will be needed for the particular future development.

2. Streets and Roads

Street and road maintenance, street engineering and construction will not be provided to this area as it is currently developed since there are no streets or roads in the area. (Butler and Burma are not included in the annexation area).

As the area develops streets and roads will be provided by the developer and then maintained by the City if the streets do become public. This cost cannot be determined until the mileage of roads is known.

3. Parks

No parks are needed at this time since there is not any population to serve.

4. Miscellaneous

The Board of Works provides street sweeping, mowing, leaf pick-up and snow and ice removal. These services will not be provided to Hefner-Huguenard at this time since there are no streets in the annexation area. When the area is developed they will be provided but the cost cannot be determined until development takes place.

FORT WAYNE UTILITIES

Water and sewer service costs are paid for with user charges and tap fees. The utility services are not funded through Civil City property taxes.

A Water

The Hefner-Huguenard Area is not presently served by the Fort Wayne Water Utility. There is a 12" main along Goshen Road which is northwest of the area. There are two distribution lines off of this main that could be extended into the Hefner-Huguenard area. Construction would take place as the need develops and as property owners petition for service. Engineering would consider the specific need and a method of funding would be worked out. Service would be available within 18 to 24 months after the process is initiated.

The Civil City does pay the Water Utility for fire hydrants in an annexed area. However, this does not lead to any expenses as a result of this particular annexation because there are no fire hydrants in the area.

B. Sewers

Hefner-Huguenard is not currently served by sanitary sewer. Water Pollution Control is planning an extension of the Neuhaus Ditch Interceptor that could be used to serve the area. The extension would be designed to serve other areas in WASH-4 and points west and southwest of Hefner-Huguenard. Connection to development in the area would be made through the normal procedures of petitioning, engineering, property owner payment and then connection. The specifics of location and engineering as well as payment can only be worked out once the development process begins. At this time further detailing amounts to speculation. The process generally takes 18 to 24 months and will be undertaken as the need requires.

FINANCIAL SUMMARY

A. Revenue

The assessed valuation for the Hefner-Huguenard area was determined by obtaining the assessed valuation for each piece of property from the Washington Township Assessor's office. The land and real estate value for the total annexation area is $13,620. The official City tax rate for 1978 is $3.78 per $100 of the assessed valuation. Therefore, the City would receive $514.84 (1978) in property tax revenue if the proposed annexation area was in the City.

No additional revenue would be received by virtue of this annexation from funds that are based upon the City's population. This includes the Motor Vehicle Highway Tax, Alcoholic Beverage Gallonage Tax, Cigarette Tax, Cumulative Capital and Revenue Sharing.

B. Expenditures

Annexation of the Hefner-Huguenard area leads to no additional expenditures of City funds although city services will be available. The low level of development, two sets of agricultural secondary buildings with at least 5 of 9 buildings vacant, does not produce a calculable cost to the service departments. This applies primarily to the Police and Fire departments and to the EMS. The area can be absorbed into their existing systems without generating any knowable fiscal impacts.

Future development would probably generate costs for service departments. Despite that possibility costs cannot be assigned at this time to literally unpredictable future needs. Such speculation would be too unspecific and easily could lead to totally inaccurate results. Even the most logical projections would not be able to detail the extent of development enough to estimate expenditures or revenues with any veracity.

When the area does develop, many of the capital costs (streets, lighting, sewer, water) will be borne by the developer(s). As part of the total proposed Fort Wayne annexation area, Hefner-Huguenard should contribute to the long run benefit to the City of annexation.

	Year	Expenditures	Revenue from Hefner-Huguenard[1]	Total
1978	1	$_____	$_____	$_____
1979	2	_____	_____	_____
1980	3	_____	_____	556.03
1981	4	_____	_____	589.39
1982	5	_____	_____	624.75
				$1,770.17

Expenditures are the cost of essential services (police, fire, traffic control, solid waste collection and EMS) as well as street maintenance and fire hydrants. The lack of population, development, streets and intersections in the area results in no new costs to the city that can be calculated through the cost determination methods of the City's service departments. This is a case where expanding services does not produce a negative fiscal impact. Certainly the revenue is sufficient to cover the literally minimal total cost that cannot be computed on a department by department basis.

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[1]The City of Fort Wayne expects an 8% increase in the Civil City property tax in 1979 to be provided through the state via an increase in the levy on the rates. No increase is expected in 1980 for 1981 with an estimated .06% increase for 1981 and then again for 1982. The current Civil City tax rate is $3.78 per $100 assessed valuation. All of the land and improvements in Hefner-Huguenard is assessed at $1,362.00. If the area enters the City before March 1, 1979 taxes for 1979 will be paid in 1980.

SUMMARY AND RECOMMENDATION

A. Indiana Annexation Statutes

In order for the city to successfully annex an area it must meet the annexation criteria set forth by the Indiana Statutes. Hefner-Huguenard meets the criteria of being twenty-five per cent (25%) contigious and is needed and can be used by the city for future development. (I.C. 18-5-10-25)

B. Fort Wayne's Annexation Policy

The Fort Wayne City Council has considered annexation criteria in addition to those of state law.

1. The area proposed for annexation must have a unity of interest with the municipality.

The Hefner-Huguenard area is directly adjacent to the City (30% contigious). Development in the area would be part of the Fort Wayne urban area.

2. The advantages of the proposed annexation must outweigh the disadvantages.

The City's tax base would expand. The increase in the level of service would be minimal but the area has only nominal needs. The increased cost to the property owners is offset by the fact that annexation now will eliminate the more difficult process of annexing the area once it is devleoped.

3. The advantages to the city must outweigh the disadvantages:

> All projections indicate that the urban area will continue to expand. Hefner-Huguenard could be used for some of this expansion which is in conformance to the principal of adjacent growth. Annexation of the area at this time averts the problem of tax inequites that come about when urban county residents do not pay for City services that they use. It also averts the problem of a weaking tax base.

4. The deficit of income to expense to the City must be reasonable:

As shown in the five-year summary, Fort Wayne will receive a gain of approximately $1,770.00 from the Hefner-Huguenard annexation.

5. The City must desire to annex the area:

Hefner-Huguenard is a logical extension of the City. It is within the area of the annexation plan and is a likely locale for anticipated future urban growth. It also has the potential for absorbing needed adjacent growth.

The Department of Community Development and Planning recommends that the Hefner-Huguenard area be annexed as it meets both legal and local criteria for an acceptable and beneficial annexation.

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of July 1 & July 8, 1978, in both the News Sentinel and Journal Gazette.

RE: Notice of Public Hearing regarding:

Bill No. S-78-06-35
"Sewer and Sewerage Systems"
rate increase

Bill No. X-78-06-36
Annexing Councilmanic
District #3

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

© F.W.B.C. 197

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Common Council of the City of Fort Wayne, at the Council Chambers, Room 126, in the City-County Building, Fort Wayne, Indiana, on Tuesday, the 18th day of July, 1978, at 7:30 o'clock P.M., Eastern Standard Time, will hold a public hearing on Bill No. S-78-06-35, being AN ORDINANCE amending certain sections of Chapter 24 "Sewer and Sewerage Systems" so as to increase the rates prescribed.

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Copies of said Bill No. S-78-06-35 and Bill No. X-78-06-36 are posted in the following public places in Fort Wayne, Allen County, Indiana.

(a) The main floor lobby of the City-County Building

(b) The bulletin board in the lobby at the east door of the Allen County Court House

(c) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

Copies of said proposed ordinances are also available for reading in the following public places in Fort Wayne, Indiana

(a) The Reference Room in the north end of the main floor in said Downtown Fort Wayne Public Library

(b) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on July 1, 1978

Charles W. Westerman
City Clerk

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	1
Body	number of lines	58
Tail	number of lines	2
	Total number of lines in notice	61

COMPUTION OF CHARGES

61 lines, 1 columns wide equals 61 equivalent lines at .259¢ cents per line	$ 15.80
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM	$ 17.30

DATA FOR COMPUTING COST

Width of single column 9,9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Title CLERK

, 19 78

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

7/1-8/78

Arvilla DeWald

Subscribed and sworn to before me this 8th day of July 1978

Harry V. Owen
Notary Public

My commission expires September 28, 1979

CH COPY OF
SEMENT HERE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Common Council of the City of Fort Wayne, at the Council Chambers, Room 126, in the City-County Building, Fort Wayne, Indiana, on Tuesday, the 18th day of July, 1978, at 7:30 o'clock P.M., Eastern Standard Time, will hold a public hearing on Bill No. S-78-06-35, being AN ORDINANCE amending certain sections of Chapter 24 "Sewer and Sewerage Systems" so as to increase the rates prescribed.

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CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on July 1, 1978.

CHARLES W. WESTERMAN
City Clerk

7—1-8

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Number of insertions 2

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Arvilla DeWald

Date July 8, 19 78

Title CLERK

FOR YOUR RESIGNATIO

Room 128, in the City-County Building, Fort Wayne, Indiana, on Tuesday, the 18th day of July, 1978, at 7:30 o'clock P.M., Eastern Standard Time, will hold a public hearing on Bill X-78-06-36, being AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3.

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CHARLES W. WESTERMAN
City Clerk

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CHARLES W. WESTERMAN
City Clerk

7—1-8

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PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

7/1-8/78

Arvilla DeWald

Subscribed and sworn to before me this 8th day of July 19 78

Harry [illegible]
Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne (Governmental Unit) — JOURNAL-GAZETTE Dr.

Allen County, Ind. — FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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DATA FOR COMPUTING COST

Width of single column 9.9 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Title CLERK

, 19 78

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Common Council of the City of Fort Wayne, at the Council Chambers, Room 126, in the City-County Building, Fort Wayne, Indiana, on Tuesday, the 18th day of July, 1978, at 7:30 o'clock P.M., Eastern Standard Time, will hold a public hearing on Bill No. S-78-06-35, being AN ORDINANCE amending certain sections of Chapter 24 "Sewer and Sewerage Systems" so as to increase the rates prescribed.

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CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on July 1, 1978

CHARLES W. WESTERMAN
City Clerk

7—1-8

CH COPY OF
SEMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city (town) of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

7/1-8/78

Arvilla DeWald

Subscribed and sworn to before me this 8th day of July, 1978

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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TOTAL AMOUNT OF CLAIM — $ 17.30

DATA FOR COMPUTING COST

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Size of type 5½ point

Number of insertions 2

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Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Orvilla DeWald

Date July 6, 19 78

Title CLERK

FOR YOUR RESIGNATIO

Wayne, at the Council Chambers, Room 126, in the City-County Building, Fort Wayne, Indiana, on Tuesday, the 18th day of July, 1978, at 7:30 o'clock P.M., Eastern Standard Time, will hold a public hearing on Bill X-78-06-36, being AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No.3.

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CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on July 1, 1978.

CHARLES W. WESTERMAN
City Clerk

7—1-8

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PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

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7/1-8/78

Orvilla DeWald

Subscribed and sworn to before me this 8th day of July 19 78

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM $ 17.30

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

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V.E. Gerken

, 19 78 Title CLERK

NOTICE OF PUBLIC HEARING

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CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on July 1, 1978.

CHARLES W. WESTERMAN
City Clerk

7—1-8

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PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city (town) of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

7/1-8/78

V.E. Gerken

Subscribed and sworn to before me this 8th day of July 19 78

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort W ayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

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Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date July 8, 19 78

Title CLERK

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ALLEN County }

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Harry Ford
Notary Public

My commission expires September 28, 1979

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City Clerk

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7—1-8

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

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City Clerk

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PUBLISHER'S AFFIDAVIT

State of Indiana
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7/1-8/78

V. E. Gerken

Subscribed and sworn to before me this 8th day of July 19 78

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Title CLERK

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75, was in critical condition

Confusion

o'clock P.M., Eastern Standard Time, will hold a public hearing on Bill X-78-06-36, being AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3.

Copies of said Bill No. X-78-06-35 and Bill No. X-78-06-36 are posted in the following public places in Fort Wayne, Allen County, Indiana:

(a) The main floor lobby of the City-County Building

(b) The bulletin board in the lobby at the east door of the Allen County Court House

(c) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

Copies of said proposed ordinances are also available for reading in the following public places in Fort Wayne, Indiana:

(a) The Reference Room in the north end of the main floor in said Downtown Fort Wayne Public Library

(b) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on July 1, 1978.

CHARLES W. WESTERMAN
City Clerk

7—1-8

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

August 1, 1978

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of August 4 & August 11, 1978, in both the News Sentinel and Journal Gazette.

RE: Legal notice for the Fort Wayne Common Council

Bill No. X-78-06-36 (AS AMENDED)
ANNEXATION ORDINANCE NO. X-02-78

Please send us 5 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

AN EQUAL OPPORTUNITY EMPLOYER

O F.W.B.C. 1974

Memorandum

To Mr. Paul Zisla, Community Development & P. Date Aug. 16, 1978

From John H. Logan, Attorney for Common Council

Subject Heffner-Heugenard Annexation

COPIES TO:

You have requested my opinion as Attorney for the Common Council as to whether or not there must be a 60 day waiting period after final publication of notice of Ordinance annexing Heffner-Huegenard area.

It is my understanding that the instant Ordinance involving a petition for annexation filed by all of the owners of the real estate sought to be annexed. IC 18-5-10-23 provides the necessary steps to be followed in said petition and it is my understanding that these steps were followed.

IC 18-5-10-24 provides for remonstrance against annexation. This latter statute requires that any aggrieved person, or persons ("if a majority of the owners of land in the territory or the owners of more than 75% in assessed valuation of the real estate in the territory") are the only persons qualified to remonstrate.

Therefore, since all of the owners of the land sought to be annexed have filed the petition for annexation in the instant case it is obvious that work on rezoning of the land covered by the annexation ordinance can commence and the same may be submitted to the Common Council anytime after August 19, 1978, the final date of newspaper publication of enactment of the Ordinance.

Respectfully submitted,

John H. Logan

John H. Logan, Attorney for Common Council

jhl/bm

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

Notice is hereby given that on the 25th day of July, 1978, the common Council of the City of Fort Wayne, in a Regular Session did pass the following BILL NO. X-78-06-36 (AS AMENDED) X-02-78 ANNEXATION Ordinance, to-wit:

BILL NO. X-78-06-36 (AS AMENDED)
ANNEXATION ORDINANCE
NO. X-02-78

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmatic District No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to wit:

The West ½ of the Southeast ¼ of Section 28, Township 31 North, Range 12 East, containing 80 acres more or less:

The East ½ of the Southwest ¼ of Section 28, Township 31 North, Range 12 East in Allen County, Indiana, containing 80 acres, more or less;

The South ½ of the Southeast ¼ of the Northwest ¼ of Section 28, Township 31 North, Range 12 East, containing 19.867 acres, more or less;

The East 330.0 feet of the West 1320.0 feet of the North Half of the Southwest Quarter of the Northeast Quarter and the North Half of the Southeast Quarter of the Northwest Quarter all in Section 28, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit;

Beginning on the North line of the Southeast Qaurter of said Northwest Quarter at a point situated 990.0 feet, N 90 degrees 00 minutes E (Adjoiner deed bearing and is used as the basis for the bearings in this description) of the Northwest corner thereof;

Thence N 90 degrees 00 minutes E, on and along said North line, established by monuments found, 317.1 feet to the Northeast corner of the Southeast Qaurter of said Northwest Quarter, established by an existing line fence and survey monuments found, 12.9 feet; thence S 00 degrees 25 minutes W and parallel to the West line of the Southeast Quarter of said Northwest Qaurter, 661.2 feet to the South line of the North Half of the Southwest Quarter of said Northeast Quarter; thence N 89 degrees 46 minutes W, on and along the South line of said North half, established by survey monuments found, 9.4 feet to the Southwest corner of said North Half; thence N 89 degrees 57 minutes W, on and along the South line of the North Half of the Southeast Quarter of said Northwest Quarter established by survey monuments found, 320.6 feet; thence N 00 degrees 25 minutes E and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.0 feet to the point of beginning, excepting therefrom the Northerly 25.0 feet for Burma Road right-of-way and containing, after said exception, 4.836 acres of land.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage approval by the Mayor and legal publication thereof as provided by law.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Hinga
Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-78 on the 25th day of July, 1978.

ATTEST: (SEAL)
Charles W. Westerman
City Clerk
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1978, at the hour of 3 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-78 passed by the Common Council on the 25th day of July, 1978, and that said Ordinance was duly signed and approved by the Mayor on the 27th day of July, 1978 and now remains on file and record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 31st day of July, 1978.

CHARLES W. WESTERMAN
CITY CLERK

8/4-11

Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

number of lines	
number of lines	141
number of lines	2
Total number of lines in notice	143

CHARGES

lines, 1 columns wide equals 143 equivalent lines at .259¢ cents per line $ 37.04

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for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM $ 38.54

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ovision and penalties of Ch. 89, Acts 1967,

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Arvilla DeWald

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

8/4-11/78

Arvilla DeWald

Subscribed and sworn to before me this 11th day of August 19 78

Notary Public

My commission expires September 28, 1979

CH COPY OF
SEMENT HERE

Form Prescribed by State Board of Accounts — General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne (Governmental Unit) — JOURNAL-GAZETTE Dr.

Allen County, Ind. — FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Head number of lines		
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TOTAL AMOUNT OF CLAIM	$ 38.54

DATA FOR COMPUTING COST

Width of single column 9.9 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date August 11, 19 78 — Title CLERK

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Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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BILL NO. X-78-06-36 (AS AMENDED)
ANNEXATION ORDINANCE
NO. X-02-78
AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmatic District No. 3
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to wit:
The West ½ of the Southeast ¼ of Section 28, Township 31 North, Range 12 East, containing 80 acres more or less:
The East ½ of the Southwest ¼ of Section 28, Township 31 North, Range 12 East in Allen County, Indiana, containing 80 acres, more or less:
The South ½ of the Southeast ¼ of the Northwest ¼ of Section 28, Township 31 North, Range 12 East, containing 19.987 acres, more or less:
The East 330.0 feet of the West 1320.0 feet of the North Half of the Southwest Quarter of the Northeast Quarter and the North Half of the Southeast Quarter of the Northwest Quarter all in Section 28, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:
Beginning on the North line of the Southeast Quarter of said Northwest Quarter at a point situated 990.0 feet, N 90 degrees-00 minutes E (Adjoiner deed bearing and is used as the basis for the bearings in this description) of the Northwest corner thereof; thence N 90 degrees-00 minutes E, on and along said North line, established by monuments found, 317.1 feet to the Northeast corner of the Southeast Qaurter of said Northwest Quarter, established by an existing line fence and survey monuments found, 12.9 feet; thence S 00 degrees-25 minutes W and parallel to the West line of the Southeast Quarter of said Northwest Qaurter, 661.2 feet to the South line of the North Half of the Southwest Quarter of said Northeast Quarter; thence N 89 degrees 46 minutes W, on and along the South line of said North half, established by survey monuments found, 9.4 feet to the Southwest corner of said North Half; thence N 89 degrees-57 minutes W, on and along the South line of the North Half of the Southeast Quarter of said Northwest Quarter established by survey monuments found, 320.6 feet; thence N 00 degrees-25 minutes E and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.0 feet to the point of beginning, excepting therefrom the Northerly 25.0 feet for Ferma Road right-of-way and containing, after said exception, 4.836 acres of land.
SECTION 2. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.
SECTION 3. This Ordinance shall be in full force and effect after its passage approval by the Mayor and legal publication thereof as provided by law.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:
Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Hinga
Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-78 on the 25th day of July, 1978.
ATTEST: (SEAL)
Charles W. Westerman
City Clerk
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M., E.S.T.
Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1978, at the hour of 3 o'clock P.M., E.S.T.
Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-78 passed by the Common Council on the 25th day of July, 1978, and that said Ordinance was duly signed and approved by the Mayor on the 27th day of July, 1978 and now remains on file and record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 31st day of July, 1978.
CHARLES W. WESTERMAN
CITY CLERK

8/4-11

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number of lines

number of lines 141

number of lines 2

Total number in notice 143

CHARGES

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ALLEN County } ss:

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Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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James S. Stier
Councilman

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Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
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City Clerk

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ATTEST: (SEAL)
Charles W. Westerman
Samuel J. Talarico
Presiding Officer

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CITY CLERK

8/4-11

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Title CLERK

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ALLEN County }

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Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

Allen County, Ind.

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The East ½ of the Southwest ¼ of Section 28, Township 31 North, Range 12 East in Allen County, Indiana, containing 80 acres, more or less;

The South ½ of the Southeast ¼ of the Northwest ¼ of Section 28, Township 31 North, Range 12 East, containing 19.887 acres, more or less;

The East 330.0 feet of the West 1320.0 feet of the North Half of the Southwest Quarter of the Northeast Quarter and the North Half of the Southeast Quarter of the Northwest Quarter all in Section 28, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Beginning on the North line of the Southeast Qaurter of said Northwest Quarter at a point situated 990.0 feet, N 90 degrees-00 minutes E (Adjoiner deed bearing and is used as the basis for the bearings in this description) of the Northwest corner thereof; thence N 90 degrees-00 minutes E, on and along said North line, established by monuments found, 317.1 feet to the Northeast corner of the Southeast Qaurter of said Northwest Quarter, established by an existing line fence and survey monuments found, 12.9 feet; thence S 00 degrees-25 minutes W and parallel to the West line of the Southeast Quarter of said Northwest Qaurter, 661.2 feet to the South line of the North Half of the Southwest Quarter of said Northeast Quarter; thence N 89 degrees -46 minutes W, on and along the South line of said North half, established by survey monuments found, 9.4 feet to the Southwest corner of said North Half; thence N 89 degrees-57 minutes W, on and along the South line of the North Half of the Southeast Quarter of said Northwest Quarter established by survey monuments found, 320.6 feet; thence N 00 degrees-25 minutes E and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.0 feet to the point of beginning, excepting therefrom the Northerly 25.0 feet for Burma Road right-of-way and containing, after said exception, 4.836 acres of land.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage approval by the Mayor and legal publication thereof as provided by law.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Hinga
Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-78 on the 25th day of July, 1978.

ATTEST: (SEAL)
Charles W. Westerman
City Clerk
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M., E.S.T.
Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1978, at the hour of 3 o'clock P.M., E.S.T.
Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-78 passed by the Common Council on the 25th day of July, 1978, and that said Ordinance was duly signed and approved by the Mayor on the 27th day of July, 1978 and now remains on file and record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 31st day of July, 1978.
CHARLES W. WESTERMAN
CITY CLERK

8/4-11

Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

number of lines

number of lines 141

number of lines 2

Total number of lines in notice 143

CHARGES

3 lines, 1 columns wide equals 143 equivalent lines at .259¢ cents per line $ 37.04

nal charge for notices containing rule or tabular work (50 per cent of above t)

for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM $ 38.54

UTING COST

0.9
of single column 11 ems Size of type 5½ point

r of insertions 2 Size of quad upon which type is cast 5½

ovision and penalties of Ch. 89, Acts 1967,

at the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

V. E. Gerken

11, 19 78 Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city (town) of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

8/4-11/78

V. E. Gerken

Subscribed and sworn to before me this 11th day of August 1978

Notary Public

My commission expires September 28, 1979

CH COPY OF
SEMENT HERE

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	
Body	number of lines	141
Tail	number of lines	2
	Total number of lines in notice	143

COMPUTATION OF CHARGES

143 lines, 1 columns wide equals 143 equivalent lines at .2594 cents per line	$ 37.04
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM	$ 38.54

DATA FOR COMPUTING COST

Width of single column 11 ems 9.9

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date August 11, 1978

Title CLERK

PUBLISHER'S AFFIDAVIT

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ALLEN County }

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8/4-11/78

V. E. Gerken

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Harry Wine
Notary Public

My commission expires September 28, 1979

CH COPY OF
SEMENT HERE

1145
ALL TYPES OF REMODELING — Room additions, complete with electricity, plumbing & concrete kitchens & bath. 745-4803.
ANY ASPHALT SURFACE SEALED REASONABLY 485-5888
ANYTHING — In exterior and interior home repair or remodeling Free estimates. Call 747-5574.
ASPHALT PAVING — And Sealing Parking lots, small drives. Free estimates. Call 485-9808
BACKHOE & DOZER WORK — Job or hour. 637-8748 Grading, Fill dirt Top Soil.
B & T HANDYMAN SERVICE — Home maintenance & repair. You extra pair of hands! 749-1301, 422 3324
DO ALL ODD JOBS — Free estimates. call Raymond Baker, 493 1656.
Expert drapery installation. Call 485-1516 or 422-7734
GARAGE DOOR OPERATOR REPAIRS — Jim Duehring, 191 Kroemer Rd. 422-2705.
INDEPENDENT HOUSECLEANING — Walls, floors, windows cleaner Carpet-upholstery shampoo. Free estimates. Insured. 483-9340.
INTERIOR PAINTING — & decorating. Base Enterprises, 1923 E Washington. 424-7851. Call 9-5.
Jim McGuire & Son
Asphalt Paving
Driveways & Parking Lots
Churubusco 693-274
MOWING
747-6641
Professional Cleaning
ServiceMASTER. Home & office cleaning, carpet, furniture, floors Free estimates. 447-9344.

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

Allen County, Ind.

Notice is hereby given that on the 25th day of July, 1978, the common Council of the City of Fort Wayne, in a Regular Session did pass the following BILL NO. X-78-06-36 (AS AMENDED) X-02-78 ANNEXATION Ordinance, to-wit:

BILL NO. X-78-06-36 (AS AMENDED)
ANNEXATION ORDINANCE
NO. X-02-78

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmatic District No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to wit:

The West ½ of the Southeast ¼ of Section 28, Township 31 North, Range 12 East, containing 80 acres more or less:

The East ½ of the Southwest ¼ of Section 28, Township 31 North, Range 12 East in Allen County, Indiana, containing 80 acres, more or less:

The South ½ of the Southeast ¼ of the Northwest ¼ of Section 28, Township 31 North, Range 12 East, containing 19.887 acres, more or less:

The East 330.0 feet of the West 1320.0 feet of the North Half of the Southwest Quarter of the Northeast Quarter and the North Half of the Southeast Quarter of the Northwest Quarter all in Section 28, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to wit:

Beginning on the North line of the Southeast Qaurter of said Northwest Quarter at a point situated 990.0 feet, N 90 degrees-00 minutes E. (Adjoiner deed bearing and is used as the basis for the bearings in this description) of the Northwest corner thereof; thence N 90 degrees-00 minutes E. on and along said North line, established by monuments found, 317.1 feet to the Northeast corner of the Southeast Qaurter of said Northwest Quarter, established by an existing line fence and survey monuments found, 12.9 feet; thence S 00 degrees-25 minutes W and parallel to the West line of the Southeast Quarter of said Northwest Qaurter, 661.2 feet to the South line of the North Half of the Southwest Quarter of said Northeast Quarter; thence N 89 degrees -46 minutes W. on and along the South line of said North half, established by survey monuments found, 9.4 feet to the Southwest corner of said North Half; thence N 89 degrees-57 minutes W. on and along the South line of the North Half of the Southeast Quarter of said Northwest Quarter established by survey monuments found, 320.6 feet; thence N 00 degrees-25 minutes E and parallel to the West line of the Southeast Quarter of said Northwest Quarter, 661.0 feet to the point of beginning, excepting therefrom the Northerly 25.0 feet for Burma Road right-of-way and containing, after said exception, 4.836 acres of land.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage approval by the Mayor and legal publication thereof as provided by law.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:
Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Hinga
Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-78 on the 25th day of July, 1978.

ATTEST: (SEAL)
Charles W. Westerman
City Clerk
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1978, at the hour of 11:30 o'clock A.M., E.S.T.
Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of July, 1978, at the hour of 3 o'clock P.M., E.S.T.
Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-78 passed by the Common Council on the 25th day of July, 1978, and that said Ordinance was duly signed and approved by the Mayor on the 27th day of July, 1978 and now remains on file and record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 31st day of July, 1978.

CHARLES W. WESTERMAN
CITY CLERK

E/4-11

PUBLISHER'S CLAIM

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number of lines	141
number of lines	2
Total number of lines in notice	143

OF CHARGES

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for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM $ 38.54

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V. E. Gerken

11, 19 78 Title CLERK

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ISEMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

8/4-11/78

V. E. Gerken

Subscribed and sworn to before me this 11th day of August 1978

Harry Voors
Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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V. E. Gerken

Date August 11, 19 78

Title CLERK

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Harry [illegible]
Notary Public

My commission expires September 28, 1979

...CH COPY OF
...ISEMENT HERE

SEALED REASONABLY
485-9880
ANYTHING — In exterior and inter
or home repair or remodeling
Free estimates. Call 747-5574.
ASPHALT PAVING — And Sealing
Parking lots, small drives. Fre
estimates. Call 485-9830.
BACKHOE & DOZER WORK — Jo
or hour. 637-6746 Grading. Fill dir
Top Soil.
B & T HANDYMAN SERVICE -
Home maintenance & repair. You
extra pair of hands! 749-1301, 42
3234.
DO ALL ODD JOBS — Free est
mates, call Raymond Baker, 49
1656.
Expert drapery installation, ca
485-1516 or 422-7734.
GARAGE DOOR OPERATO
REPAIRS — Jim Duehmig, 19
Kroemer Rd 422-2705.
INDEPENDENT HOUSECLEANIN
— Wells, floors, windows cleane
Carpet-upholstery shampoo. Fr
estimates. Insured. 483-9340
INTERIOR PAINTING — & decor
ing. Baase Enterprises, 1923 I
Washington. 424-2851, Call 9-5.
Jim McGuire & Son
Asphalt Paving
Driveways & Parking Lots
Churubusco 693-27.
MOWING
747-6641
Professional Cleaning
Cleaning, carpet, furniture, floor
Free estimates. 447-9244.
REMODELING

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

Allen County, Ind.

PUBLISHER'S CLAIM

Notice is hereby given that on the 25th day of July, 1978, the common Council of the City of Fort Wayne, in a Regular Session did pass the following BILL NO. X-78-06-36 (AS AMENDED) X-02-78 ANNEXATION Ordinance, to-wit:

BILL NO. X-78-06-36 (AS AMENDED)
ANNEXATION ORDINANCE
NO. X-02-78

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmatic District No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to wit:

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James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hunter, and duly adopted, placed on its passage. PASSED by the following vote:
Ayes: Eight
Burns, Hunter, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Hinga
Date: 7-25-78

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-78 on the 25th day of July, 1978.
ATTEST: (SEAL)

Charles W. Westerman
City Clerk
Samuel J.Talarico
Presiding Officer

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Charles W. Westerman
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Mayor

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WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 31st day of July, 1978.

CHARLES W. WESTERMAN
CITY CLERK

8/4-11

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11, 19 78

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V.E. Gerken

Subscribed and sworn to before me this 11th day of August 1978

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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